

Regular Session, 2010

ACT No. 587

HOUSE BILL NO. 564

BY REPRESENTATIVE PATRICIA SMITH AND SENATOR BROOME

AN ACT

To enact R.S. 44:9(L), relative to expungement of arrest records in misdemeanor and felony cases; to require the Louisiana State Law Institute to develop a uniform expungement form and a uniform order of expungement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 44:9(L) is hereby enacted to read as follows:

§9. Records of violations of municipal ordinances and of state statutes classified as a misdemeanor or felony

* * *

L.(1) The Louisiana State Law Institute shall develop a uniform expungement form for persons seeking an expungement without the necessity of employing counsel.

(2) The Louisiana State Law Institute shall develop a uniform order of expungement. The order shall provide for any information deemed appropriate by the Louisiana State Law Institute including the following:

(a) The signatures of the judge, district attorney, and any other parties required by law.

(b) The statutory authority for granting or denying the expungement.

(c) A place for the court to provide written reasons when the expungement is denied.

(3) After development of the forms provided for by the provisions of this Subsection, the Louisiana State Law Institute shall make the forms available to the Judicial Council for distribution to the appropriate courts throughout the state of Louisiana.

1 (4) The clerks of court in all parishes shall make this information available
2 to the public upon request.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____